

SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 7  
KOSSOFF PLLC, : Case No. 21-10699 (DSJ)  
Debtor. :  
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ALBERT TOGUT, Not Individually but Solely in His :  
Capacity as Chapter 7 Trustee of the Estate of Kossoff :  
PLLC, :  
Plaintiff, : Adv. Pro. No. 23-01080 (DSJ)  
v. :  
BRUCE BARASKY, :  
Defendant. :  
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**SCHEDULING ORDER**

Upon the letter [Docket No. 17] (the “Trustee’s Letter”), dated November 14, 2023, filed by Albert Togut, not individually, but solely in his capacity as the Chapter 7 trustee (the “Trustee”) of Kossoff PLLC and the plaintiff in the above-captioned adversary proceeding (the “Adversary Proceeding”), by his attorneys, Togut, Segal & Segal LLP; and this Court having considered the Trustee’s Letter and all responses to the Trustee’s Letter filed by Bruce Barasky (the “Defendant”), by his attorneys, Dahiya Law Offices, LLC [Docket Nos. 19-20, 22]; and upon the record made during the hearing conducted on November 29, 2023 (the “Record”), during which the Court heard the Trustee and Defendant, by their respective attorneys, and upon all of the prior pleadings and proceedings had herein; and after due deliberation thereon, it is:

1. For the reasons set forth in the Record, Defendant’s motion (the “Stay Motion”) seeking a stay of discovery in the Adversary Proceeding before the United States Bankruptcy

Court for the Southern District of New York while Defendant's *Motion to Withdraw the Reference and Dismiss the Case* remains pending before the United States District Court for the Southern District of New York, Civ. Case No. 1:23-cv-04132-JPC [District Court Docket No. 1], must be filed and served no later than **December 15, 2023 at 4:00 p.m.** (Prevailing Eastern Time).

2. The Trustee's opposition to the Stay Motion (the "Opposition") must be filed and served no later than **January 5, 2024 at 4:00 p.m.** (Prevailing Eastern Time).

3. Defendant's reply to the Opposition must be filed and served no later than **January 15, 2024 at 4:00 p.m.** (Prevailing Eastern Time).

4. The Court may enter a decision and order in connection with the Stay Motion and related filings without oral argument.

5. Absent further order of this Court, oral argument to consider the Stay Motion and related filings shall be conducted on **February 7, 2024 at 10:00 a.m.** (Prevailing Eastern Time).

In light of the COVID-19 pandemic, the Hearing shall take place via Zoom for Government.

Those wishing to appear before the Court at the Hearing must register for appearance utilizing the Electronic Appearance portal located at the Court's

website: <https://ecf.nysb.uscourts.gov/cgi-bin/nysbAppearances.pl>. Appearances must be entered no later than February 6, 2024 at 4:00 p.m. (Prevailing Eastern Time)

Dated: New York, New York  
November 30, 2023

s/ David S. Jones  
HONORABLE DAVID S. JONES  
UNITED STATES BANKRUPTCY JUDGE